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# Upper Lachlan Shire Council

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**Our Ref: F10/23-08**

19 March 2018

Mr Jeffery Horn  
Acting Director Regions, Southern  
Department of Planning and Environment  
PO BOX 5475  
WOLLONGONG NSW 2520

Dear Mr Horn

**RE: SUBMISSION OF PLANNING PROPOSAL TO AMEND UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN 2010 (ULLEP) – PERMITTING STORAGE PREMISES IN ZONE IN2 LIGHT INDUSTRIAL.**

On 15 March 2018, Council resolved to prepare a planning proposal to amend the ULLEP. Council seeks to amend the ULLEP to facilitate the permissibility of 'storage premises' within Zone IN2 Light Industrial.

Please find enclosed a copy of the following information:

- The planning proposal prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment (EP&A) Act 1979* and 'A guide to preparing planning proposals';
- Council report and resolution (which forms part of attachment 1 of the Planning Proposal).
- 'Information checklist' from the Departments 'A guide to preparing planning proposals'.

It is requested that the Minister allow the General Manager of Upper Lachlan Shire Council delegation for the making of this ULLEP amendment. A response to the 'Evaluation criteria for issuing of an Authorisation' is attached to this letter.

In accordance with section 3.34 of the EP&A Act, Council seeks that the Minister issue a Gateway Determination in support of the attached planning proposal.

Should you require any further information or have any questions about this matter, please contact Council's Tina Dodson, Director Environment & Planning on 02 4830 1000.

Yours faithfully

Tina Dodson

**Director Environment and Planning  
Upper Lachlan Shire Council**

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## **Gateway Planning Proposal:**

***Upper Lachlan Local Environmental  
Plan 2010***

**March 2018.**

***Land within Zone IN2 Light Industrial  
– Upper Lachlan Shire Council Local  
Government Area.***

***Prepared by:***

**Building and Environmental Services Today  
26 Goulburn Street  
JUNEE NSW 2663**



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**Project Name:** Upper Lachlan Local Environmental Plan 2010  
- Planning Proposal Zone IN2 Light Industrial  
**Document Ref No.:** Upper Lachlan PP 2018

**Version Control Table:**

<b>Version</b>	<b>Date</b>	<b>Comments</b>	<b>Prepared</b>	<b>Reviewed</b>	<b>Authorised</b>
1	March 2018	Draft issue only for stakeholder comment	KC	NS	Neil Smith Director <i>BEST</i>
2	18.03.18	Final issue	KC	NS	

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The proposal, ideas, concepts and methodologies set out and described in this document are and remain the property of BEST and are provided to Upper Lachlan Shire Council in confidence. They may not be used or applied by the recipient or disclosed to any other person without the prior written consent of BEST.

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## 1. Introduction

Building Environment Services Today (BEST) has been engaged by Upper Lachlan Shire Council to assist with the preparation of a Gateway Planning Proposal for an amendment to the *Upper Lachlan Local Environmental Plan 2010*. This amendment involves lands located within Zone IN2 Light Industrial. The purpose of the Gateway Planning Proposal is to facilitate the permissibility of the land use 'storage premises' within the IN2 Zone.

The land use term 'storage premises' within the *Upper Lachlan Local Environmental Plan 2010* is defined as follows:

*'storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.'*

## 2. Background

This Gateway Planning Proposal has been prepared in accordance with:

- *Planning Circular PS 16-005 dated 30 August 2016*
- *A Guide to Preparing Planning Proposals dated August 2016*

**Section 1.3** of 'A Guide to Preparing a Planning Proposal dated August 2016' states:

*'A planning proposal which is submitted for a Gateway determination must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan making process. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment.'*

*The planning proposal should contain enough information to identify relevant environmental, social, economic and other site-specific considerations. The scope for investigating any key issues should be identified in the initial planning proposal that is submitted for a Gateway determination. This would include listing what additional studies the RPA considers necessary to justify the suitability of the proposed LEP amendment. The actual information/investigation may be undertaken after a Gateway determination has been issued and if required by the Gateway determination.'*

This proposal has also been prepared having regard to current updated planning practice associated with the development of the Local Environmental Plan (LEP) Standard Instrument. This Gateway Planning Proposal provides sufficient information to support the proposed amendment to the *Upper Lachlan Environmental Plan 2010*.

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### 3. Planning Proposal Context

The *Upper Lachlan Local Environmental Plan 2010* commenced on 9 July 2010. The Plan represents a substantial investment by Council and the local community in new local planning controls across the Upper Lachlan Local Government Area (LGA) after formation of the LGA in 2004.

The **particular aims** of the Plan are as follows:

- (1) *This Plan aims to make local environmental planning provisions for land in Upper Lachlan in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
  - (a) *to provide planning controls for Upper Lachlan and to update and consolidate into one instrument the various planning controls that currently apply to Upper Lachlan,*
  - (b) *to encourage the sustainable management, development and conservation of natural resources,*
  - (c) *to promote the use of rural resources for agriculture and primary production including fishing, forestry, mining and related processing, service and value adding industries,*
  - (d) *to protect and conserve the environmental and cultural heritage of Upper Lachlan,*
  - (e) *to encourage new residents to Upper Lachlan by providing a range of housing opportunities in the main towns and villages,*
  - (f) *to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,*
  - (g) *to promote and coordinate the orderly and economic use and development of land in Upper Lachlan,*
  - (h) *to protect and enhance watercourses, riparian habitats, wetlands and water quality within Upper Lachlan's drinking water catchments so as to enable the achievement of the water quality objectives.*

This Planning Proposal is consistent with these plan aims, more specifically:

- It will enable development to support the promotion and future development of agriculture and related industries in the area.
- It will not adversely affect any environmentally or culturally sensitive land.
- It will assist in promoting and coordinating the orderly and economic use and development of land in Upper Lachlan.



#### 4. Part 1- Statement of objectives and intended outcomes

The objective of the planning proposal is to amend the *Upper Lachlan Local Environmental Plan 2010* to permit the land use *storage premises* within Zone IN2 Light Industrial.

#### 5. Part 2- Explanation of provisions

The proposed outcome will be achieved by the following amendment to *Upper Lachlan Local Environmental Plan 2010*:

1. Remove the land use term '*Storage Premises*' from 4 Prohibited in the Land Use Table to Zone IN2 Light Industrial.

Figures 1 & 2 below shows the extent of Zone IN2 Light Industrial within the Upper Lachlan Shire Council LGA. The LGA's only IN2 Light Industrial Zoned land is located on the Northern fringe of the township of Crookwell.

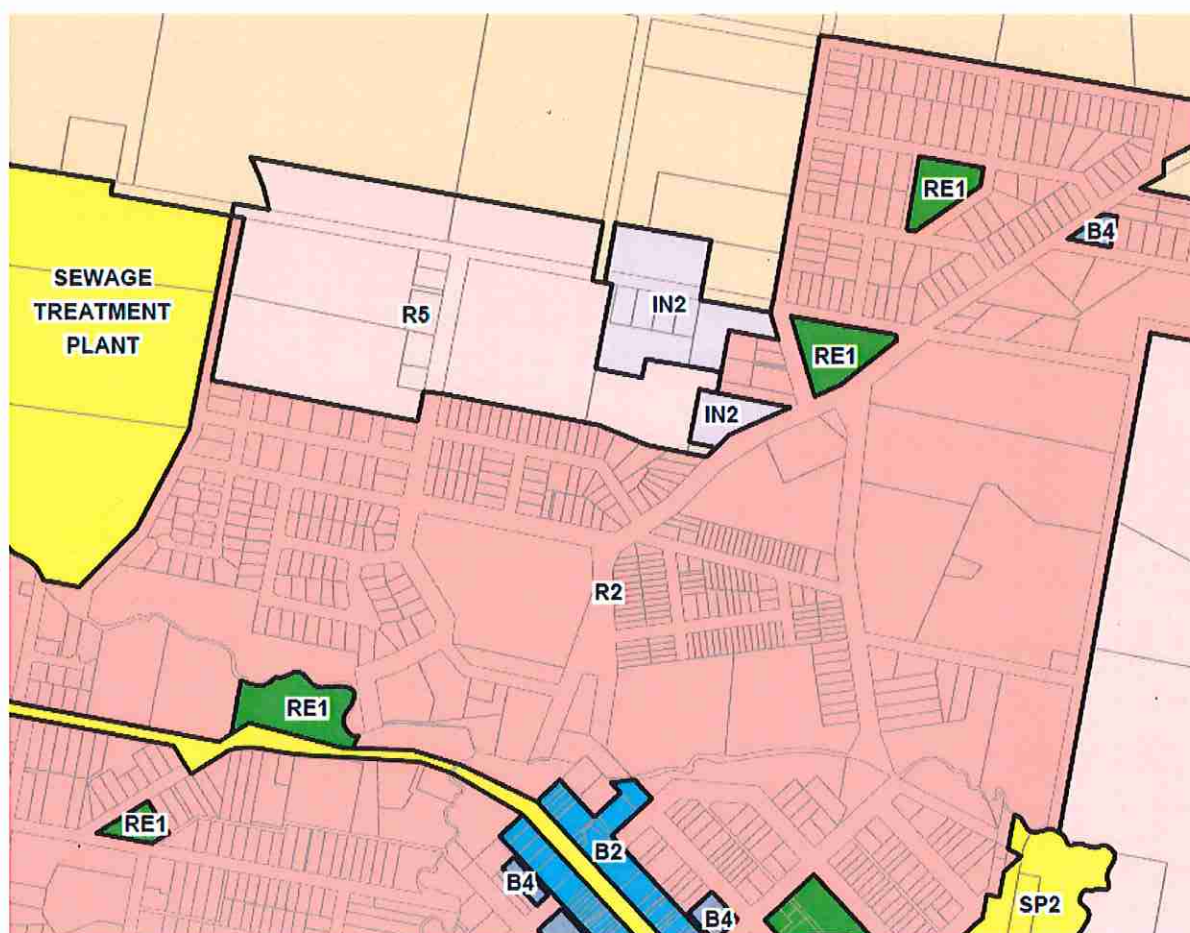


Figure 1: Extent of Zone IN2 Light Industrial within the Upper Lachlan Local Government Area. Source: Extract from *Upper Lachlan Local Environmental Plan 2010 Land Zoning Map - Sheet LZN\_005C*





Figure 2: Indicative Extent of Zone IN2 Light Industrial Overlay on Aerial Image. Source: SIX Maps with mark-up by author.

## 6. Part 3 - Justification

### *Section A – Need for the Planning Proposal*

#### **Is the planning proposal a result of any strategic study or report?**

The following provides the background, strategic context and rationale associated with the proposed changes under this Planning Proposal.

#### ***Developer Interest in Storage Development***

##### **Background**

Council received interest from a local developer in 2017 to undertake a 'storage shed' development on vacant allotments of land within Zone IN2 Light Industrial, the two (2) allotments side-by-side are shown below in figure 3. The developer acknowledged that such a development was prohibited within Zone IN2 Light Industrial and requested that Council take the land use prohibition into account during any future review of the *Upper Lachlan Local Environmental Plan 2010*.



Figure 3: Allotments outlined in red identified by a local developer for a 'storage shed' development in Zone IN2 Light Industrial. Source: SIX Maps with mark-up by author.

Council's consideration of the matter and the consequent underlying zoning anomaly during its ordinary meeting on 17 August 2017 resulted in a resolution that Council commence a review of anomalies within the land use tables of the *Upper Lachlan Local Environmental Plan 2010*. At the Ordinary Meeting of Council on 15 February 2018, Council further resolved to give authority to the General Manager to engage the services of a consultant to make a submission to the Department of Planning and Environment in relation to the anomalies in the land use tables of the *Upper Lachlan Local Environmental Plan 2010*, particularly concerning the fact that *self-storage units* are prohibited in IN2 Light Industrial Zones.

#### Consideration of Storage Premises

*Self-storage units* are defined within the *Upper Lachlan Local Environmental Plan 2010* as follows:

***self-storage units*** means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).'



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Post Council's engagement of BEST to prepare this Planning Proposal, discussions held between Council's Director Environment & Planning and BEST resulted in the consideration of broader storage related developments than that of *self-storage units* seen to be suitable within the IN2 Zone. As detailed in the introduction of this Planning Proposal, the land use term *storage premises* includes *self-storage units* as well as permitting additional types of commercial storage which are typical of industrial areas and consistent with the characteristics of industrial zoned land.

A comprehensive review of non-metropolitan Council Local Environmental Plans has revealed that *storage premises* are a very common permitted land use within IN2 Light Industrial Zones (discussed in further detail below in this Planning Proposal). It is furthermore considered suitable to permit *storage premises* within the IN2 Zone as not only will this facilitate the future development of *self-storage units* as per Council's resolution of 15 February 2018, but it will also address the anomaly of *storage premises* not being permissible within any other zone with the *Upper Lachlan Local Environmental Plan 2010*. It must also be noted that the IN2 Light Industrial Zone is the only Industrial Zone within the *Upper Lachlan Local Environmental Plan 2010*.

*Self-storage units* offer small businesses and the community storage options for their commercial and personal use respectively. *Storage premises* (which includes *self-storage units*), in turn provides the additional economic benefit of assisting with the storage needs for small and large business alike (including the agricultural sector). *Storage premises* provide short and/or long-term storage solutions small and large businesses commercial needs, examples could include the storage of a business's excess stock, storage of larger equipment unable to be kept on-site and agricultural machinery & goods. The temporary storage needs of green energy developments (such as wind farms which are found within the LGA) could also be met by the *storage premises* land use.

In light of the above, a report was considered by Council on 15 March 2018 in relation to permitting *storage premises* within the IN2 Zone, subsequently Council resolved to:

1. *Prepare a planning proposal in accordance with the Environmental Planning and Assessment Act 1979 for submission to the Department of Planning and Environment seeking a Gateway Determination, to amend the Upper Lachlan Local Environmental Plan 2010 by removing the land use term 'storage premises' from 4 Prohibited in the Land Use Table to Zone IN2 Light Industrial, and;*
2. *Request the Department of Planning & Environment to authorise Council to exercise delegation of plan making functions in accordance with the Environmental Planning and Assessment Act 1979, and;*



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3. That Council's General Manager have delegation to authorise all required documentation in relation to the Planning Proposal and the subsequent Upper Lachlan Local Environmental Plan 2010 amendment.

A copy of Council's report and resolution can be found in **Attachment 1** of this Planning Proposal.

***Consistency with Regional Local Government Areas with Storage Premises Permitted within Zone IN2 Light Industrial***

As discussed previously above, *storage premises* are presently not permitted within any Zone within the *Upper Lachlan Local Environmental Plan 2010* and the IN2 Light Industrial Zone is the only industrial Zone within the Upper Lachlan LGA. A review of Local Environmental Plans for non-metropolitan Councils was undertaken revealing in total, thirty-nine (39) Local Environmental Plans which permit with consent *storage premises* developments within Zone IN2 Light Industrial. A table summarising the results of this review is included in **Attachment 2**.

Of the thirty-nine (39) Local Environmental Plans, the *Junee Local Environmental Plan 2012* is in particular considered to be similar to the *Upper Lachlan Local Environmental Plan 2010* in terms that it too only contains one (1) industrial Zone, being Zone IN2 Light Industrial. There are also population and economy similarities between the Junee and Upper Lachlan LGA's. 2016 census data shows Junee and the Upper Lachlan LGA's to have populations of 6,295 and 7,695 people respectively, with the data also suggesting the agricultural sector and related industries as being a strong employment base and driver of their local economies. With these similarities, an analysis of objectives and desired outcomes for the IN2 Zone between these two Local Environmental Plans and any associated development controls was considered prudent and is detailed below.

***Junee Local Environmental Plan 2012 (JLEP 2012) & Development Controls***

The single industrial Zone of the JLEP 2012 is the IN2 Light Industrial Zone, as is the case with the *Upper Lachlan Local Environmental Plan 2010*. Between the two Plans, the following IN2 Zone objectives are identical as per the Standard Instrument – Principal Local Environmental Plan:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses*

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The JLEP 2012 includes the following additional IN2 Zone objectives to those above:

- *To facilitate industry development that supports regional economic influences.*
- *To foster emerging industries that broaden the economic and employment base of Junee.*

A *storage premise* is consistent with the common objectives of the IN2 Zones as detailed below:

- *To provide a wide range of light industrial, warehouse and related land uses.*

Comment: *Storage premises* by virtue of the low impact nature of their use are considered to be a land use 'related' to light industry and warehouse uses. This is discussed under the heading '*Zone IN2 Light Industrial Compatibility*' further in this Planning Proposal.

- *To encourage employment opportunities and to support the viability of centres.*

Comment: As previously discussed, *storage premises* is a use which provides for positive economic impacts in a local economy through supporting the storage needs for small and large business. *Storage premises* provide short and/or long-term storage solutions for small and large businesses commercial needs which in the case of the Upper Lachlan LGA will support the viability of the centre of Crookwell in particular.

- *To minimise any adverse effect of industry on other land uses.*

Comment: *Storage premises* land uses generally are not considered to generate negative impacts of the natural or built environment or create land use conflict by the nature of their use. This is discussed under the heading '*Zone IN2 Light Industrial Compatibility*' further in this Planning Proposal.

- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

Comment: By allowing *storage premises* within the IN2 Zone, new facilities will be permitted to be developed which will support the storage needs of businesses within the area.

- *To support and protect industrial land for industrial uses*

Comment: *Storage premises* are considered to be an industrial land use and therefore the permitting the use with in the IN2 Zone would be consistent with this objective.

In terms of development controls, within the JLEP there are no specific controls which relate to IN2 Zoned land (other than minimum lot sizes) or *storage premises* developments. The Junee Development Control Plan 2015 (JDCP) similarly does not specify controls for *storage premises*, a summary of general industrial development controls which relate to *storage premises* developments are as follows:



- 
- The traffic generation guidelines of the RTA set the standard for access, building setbacks, car parking, loading bays, and site visibility issues.
  - Fire safety.
  - Entry and exit to be in a forward direction
  - Pavements crossing over footpath and road entry to sites.

As per the JLEP, the *Upper Lachlan Local Environmental Plan 2010* does not contain any specific controls which relate to IN2 Zoned land or *storage premises* developments. The Upper Lachlan Shire Council Development Control Plan 2010 (ULDCP) contains general controls for industrial development (primarily relating to landscaping) along with a specific chapter for the control of development within Zone IN2 Light Industrial titled '*Industrial (IN2 Light Industrial Zone) – Crookwell*'. A summary of these specific controls are as follows:

- Minimum operation details which are to be provided
- Building design controls – i.e. streetscape, bulk/scale, finishes and materials
- Setbacks
- Landscaping
- Buffers to residential development
- Traffic management
- Environmental management (noise, traffic, vibration etc)
- Waste management

The ULDCP also contains controls for traffic and parking specific to 'industrial buildings' which sets the rate at which on-site parking is to be provided.

Overall, development controls which would apply to a *storage premises* development are to an extent similar between each LGA with Upper Lachlan's being more specific and detailed. Upper Lachlan Council's current development controls for the IN2 Zone are considered to be appropriate to control any future *storage premises* developments and no further development controls are considered necessary.

In conclusion, the Local Environmental Plan review undertaken across the state clearly shows the land use *storage premises* to not be an incompatible use within the IN2 Zone. Overwhelmingly *storage premises* are considered by non-metropolitan Council to be an industrial land use which are generally consistent with the objectives and intended outcomes of an IN2 Zone. Of the all the non-metropolitan Local Environmental Plans reviewed, all of those which contained an IN2 Zone (forty-eight (48) in total) all permitted some form of storage related land use(s).



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### **Zone IN2 Light Industrial Compatibility**

As discussed above, the first objectives from the Standard Instrument – Principal Local Environmental Plan for the IN2 Zone is ‘To provide a wide range of light industrial, warehouse and related land uses’. Definitions of light industrial, warehouse as per the Upper Lachlan Local Environmental Plan 2010 are as follows:

**light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise,

**warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made

With *light industrial* and *warehouse or distributions centres* being land uses permitted with consent within the IN2 Light Industrial Zone, *storage premise* is considered to be a ‘related’ land use which is not incompatible with these developments or the intended outcomes for the IN2 Zone. *Storage premises* typically are known to have fewer potential impacts arising, they generally:

- Create minimal environmental impact
- Do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise
- Have very low traffic generating development i.e. storage only, no excessive handling of goods.
- Are a non-polluting land use.

As such, it can be confidently held that the land use *storage premise* is compatible with the IN2 Zone and its other permissible land uses.

### **Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The proposed planning proposal is the best means of achieving the objectives and intended outcomes.

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## **Section B – Relationship to strategic planning framework.**

**Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

### ***The South East and Tablelands Regional Plan 2036***

The *South East and Tablelands Regional Plan 2036* is a 20-year blueprint for the future of the region, approved by the Department of Planning and Environment in 2017. The South East and Tablelands region consists of nine (9) local government areas:

Bega Valley, Eurobodalla, Goulburn-Mulwaree, Hilltops, Queanbeyan-Palerang, Snowy Monaro, **Upper Lachlan**, Wingecarribee, and Yass Valley.

The *South East and Tablelands Regional Plan 2036* identifies the region's population is projected to increase by 45,450 people by 2036 and sees the South East and Tablelands as part of a borderless region with Canberra as the Metropolitan City at its heart. The plans also acknowledges Canberra Airport as a catalyst for diverse growth opportunities for farmers and agricultural producers, who supply markets across Asia.

Upper Lachlan plays an important role in the regions agricultural and overall economic success. The plan's narrative for the Upper Lachlan LGA states:

*'Agriculture continues to underscore the economic and social fabric of the Shire, which is well known for its fine wool and potato production. Tourism is also a major economic driver. Wind farms are becoming an important part of the economic landscape, with the area home to the largest wind energy generator in NSW at Gullen Range.'*

As top three contributors to agricultural production for the South East and Tablelands region from the Upper Lachlan Shire were wool, sheep and cattle in 2011, generating a combined \$77.7m.

The Plan has four (4) main goals for the region:

- *Goal 1: A connected and prosperous economy*
- *Goal 2: A diverse environment interconnected by biodiversity corridors*
- *Goal 3: Healthy and connected communities*
- *Goal 4: Environmentally sustainable housing choices*

*Goal 1: A connected and prosperous economy*, is seen to be applicable to this planning proposal. Specifically, within Goal 1; the proposal is consistent with the following directions:



- 
- *Direction 6: Position the region as a hub of renewable energy excellence*
  - *Direction 8: Protect important agricultural land*
  - *Direction 12: Promote business activities in urban centres*

Direction 6 states:

*'The South East and Tablelands offers natural advantages in wind, hydro and solar energy generation. Already, the cluster of wind farms between Queanbeyan and Crookwell, as well as at Boco Rock, and the Snowy Mountains Hydro-Electric Scheme, lead the provision of renewable energy. Further investment to increase the capacity of these facilities would enhance the region's reputation as a hub for renewable energy.'*

Direction 8 states:

*'The South East and Tablelands offers stable and favourable growing conditions and easy access to export markets. It is well placed to take advantage of growing demand from Asia and the Sydney Basin, where the capacity to feed residents is forecast to drop from 20 per cent of food demand to less than six per cent over the next 15 years. This requires a critical mass of agricultural industries that can increase productivity, sustain employment and contribute to a secure, local fresh food supply.'*

Direction 12 states:

*'New retail activity will be directed to existing centres to increase centre vitality, capitalise on existing transport and community facilities, attract complementary activities, and enhance the value of existing public spaces. New and emerging technologies will create employment opportunities as well as innovations in the way services are delivered. The National Broadband Network is enhancing digital connections and growing knowledge-intensive industries, small businesses and smart work hubs. There is enormous potential to attract professionals who want to enjoy the region's lifestyle while accessing wider employment markets.'*

This Planning Proposal supports the objectives, actions, desired outcomes, economic drivers and future directions detailed in the *South East and Tablelands Regional Plan 2036* across the Upper Lachlan LGA by:

- Providing the opportunity for relatively low cost short and/or long-term storage options for the green energy sector which can support their operations during construction, post-construction maintenance and decommissioning.
- The flexible land use of *storage premises* is advantageous to support the storage needs of the agricultural sector whereby goods and machinery can be stored close to a regional centre.



- *Strategy EN4 - Maintain a balance between growth, development and environmental protection through sensible planning*
- *Strategy EC3 - Support and foster conditions that enable local and small/home-based businesses to grow*

Permitting *storage premises* as a new land use within the IN2 Zone of the *Upper Lachlan Local Environmental Plan 2010* will:

- Not result in any adverse impacts to the natural environmental,
- Be consistent with the desired balance between growth, development and environmental protection, and;
- Support local and small business to grow.

**Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal is generally consistent with all applicable SEPPs (**Refer Attachment 3**).

**Is the planning proposal consistent with applicable Ministerial Directions (s.117(2) directions)?**

The Planning Proposal is generally consistent with Ministerial Directions under Section 117(2) (now section 9.1) (**Refer Attachment 3**) with the exception of Direction 1.1, 3.4 and 5.2. The Planning Proposal does not impact identified flood liable or bushfire prone lands.

The variations to these Directions **are considered to be of minor significance** and justification for these inconsistencies is as follows:

**Direction 1.1 - Business and Industrial Zones**

This Direction requires that a planning proposal must:

- *retain the areas and locations of existing business and industrial zones and*
- *not reduce the total potential floor space area for employment uses and related public services in business zones*

This Direction is aimed at ensuring there is adequate business and industrial zoned land available and that this land stock is not reduced. Council seeks to introduce an additional use common to industrial areas within Zone IN2 Light Industrial, with an objective to provide development opportunities which will support local business and the economy.



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## 7. Part 4 – Maps

The planning proposal will not require any alterations to the *Upper Lachlan Local Environmental Plan 2010* maps. Mapping and aerial imagery to support the planning proposal can be found throughout this planning proposal. In **Attachment 4**, mapping from the *Upper Lachlan Environmental Plan 2010* can be found as follows:

- Extent of Zone IN2 Light Industrial
- Biodiversity Mapping

## 8. Part 5 – Community consultation

Wider community consultation will be commenced by giving notice of the public exhibition of the Planning Proposal:

- in a newspaper that circulates in the area affected by the Planning Proposal
- on the web-site of the Upper Lachlan Shire Council

The written notice will:

- give a brief description of the objectives or intended outcomes of the Planning Proposal
- indicate the land affected by the Planning Proposal
- state where and when the Planning Proposal can be inspected
- give the name and address of the RPA for the receipt of submissions
- indicate the closing date for submissions.

During the exhibition period, the following material will be made available for inspection:

- the Planning Proposal, in the form approved for community consultation by the Secretary Department of Planning & Environment.
- the Gateway Determination
- any studies relied upon by the Planning Proposal.

The initial gateway determination will confirm the public consultation that must be undertaken in relation to the Planning Proposal. If the gateway determination specifies different consultation requirement this part of the proposal will be revised to reflect the terms of the gateway determination. In the interest of keeping communication open from the outset, key stakeholders will be identified and contacted directly to ensure that they are aware of the Planning Proposal and are given the opportunity to communicate their concerns and ideas in regard to the development.



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Council does not have a formal industrial/employment land use strategy, as such it is difficult to quantify the exact impacts of introducing an additional land use on the overall supply of industrial land available in the Upper Lachlan LGA. However, in assessing the merit of the proposal however the following matters are relevant:

- There will not a decrease in area of business zoned land within the LGA. The IN2 Zone will be retained as it currently is.
- There are no business Zones impacted by the proposal.
- As seen within figures of this Planning Proposal, a significant area of the IN2 is yet to be developed. The additional land use provides increased development options within the Zone to assist in stimulating development and increased economic activity in the locality.
- Any future development proposals within Zone IN2 Commercial Core for *storage premises* uses will be subject to a merit based statutory assessment process. This process will consider any likely positive and negative impacts, including, economic and social impacts and potential land use conflicts. All proposals will need to demonstrate how they meet the objectives of the which ensures future developments will contribute the desired outcomes of the zone, also supporting the economy of the LGA.
- The Proposal is consistent with the directions and actions of the South East and Tablelands Regional Plan 2036 and the vision of the Upper Lachlan community as expressed in the joint Council Community Strategic Plan.

#### Direction 3.4 Integrating Land Use and Transport

This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. This direction requires that a planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and
- The Right Place for Business and Services – Planning Policy (DUAP 2001).

*Storage premises* are generally a low-traffic generating land use. This Planning Proposal is consistent with the objective of this direction as it will not result in the land use location being adversely impacted by a significant increase of traffic volumes to the area. It will also not impact on the efficiency of existing public transport options and by being a storage facility in reasonable proximity to the Crookwell CBD can create a positive impact on travel demands of the community and businesses.

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### *Direction 5.2 Sydney Drinking Water Catchments*

This Direction applies when a relevant planning authority prepares a planning proposal that applies to land within the Sydney drinking water catchment. The Upper Lachlan Shire Council LGA is partially located within the Sydney drinking water catchment (Eastern side of the LGA). The direction requires a planning proposal to must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected.

*State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* does not identify any land to which this Planning Proposal applies as being within a catchment boundary. Additionally, any future development proposals on land to which this proposal applies will be assessed individually on their merits against the provisions of this policy.

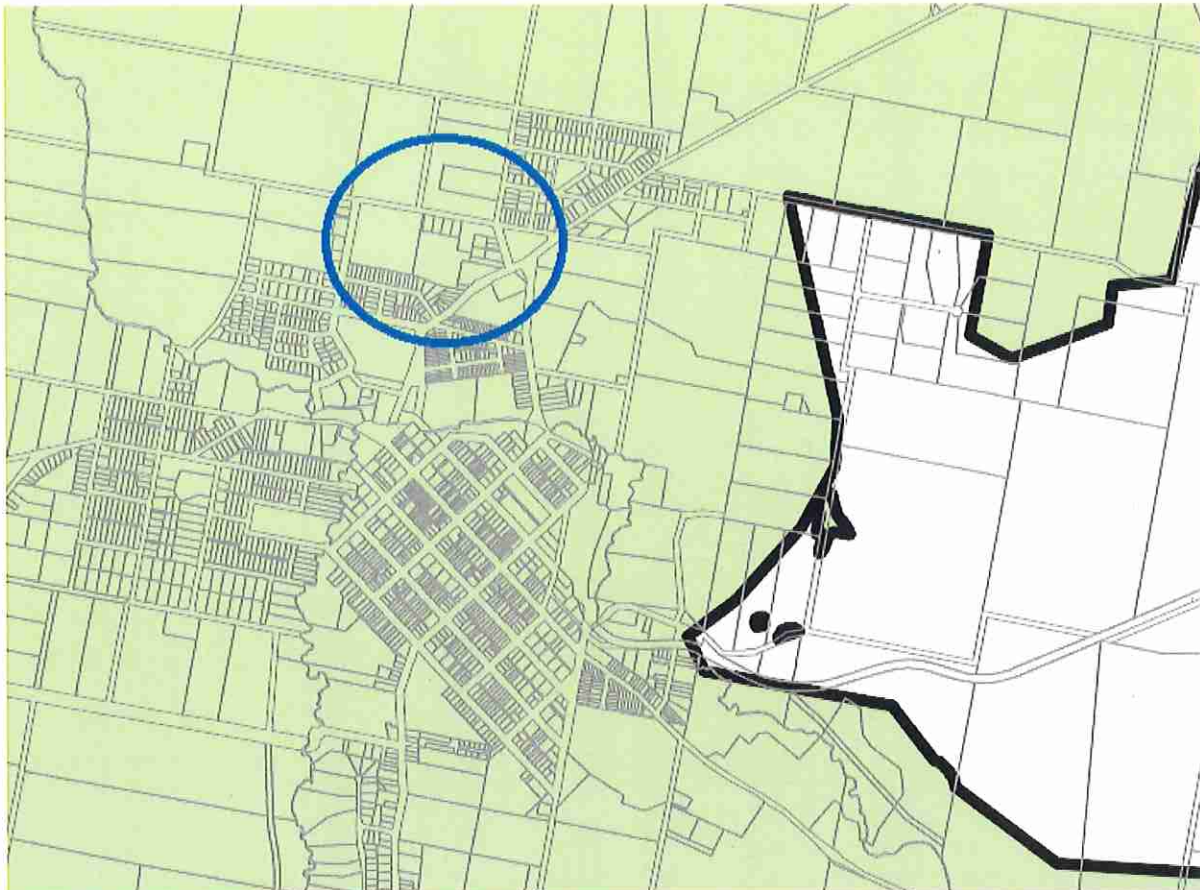
Detailed mapping on Water NSW's website also shows the entire township of Crookwell to be located outside of the Warragamba drinking water catchment area. As such this Planning proposal is consistent with this direction.

## ***Section C – Environmental, social and economic impact***

### ***Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

The *Upper Lachlan Local Environmental Plan 2010* maps the majority of the township of Crookwell as 'sensitive land' for the purposes of the application of clause 6.2 *Biodiversity* of the plan. An extract of the '*Natural Resources Sensitivity - Biodiversity Map*' can be seen in figure 4 below:





*Figure 4: General locality of IN2 Zoned Land circled in blue, green areas indicated sensitive land. Source: Map Natural Resources Sensitivity - Biodiversity Map- Sheet NRB\_005*

The objective of clause 6.2 is to maintain terrestrial and aquatic biodiversity including:

- protecting native fauna and flora, and
- protecting the ecological processes necessary for their continued existence, and
- encouraging the recovery of native fauna and flora, and their habitats.

The land to which this Planning Proposal relates has been Zoned for industrial land use purposes and is in the vast majority, free of any significant vegetation (native or otherwise). Figure 2 previously in this Proposal and figure 5 below show aerial imaging on the land:



Figure 5: Aerial image of lands within the IN2 Zone. Source: SIX Maps with mark-up by author.

In light of the above, there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal. Furthermore, any future developments will be subject to merit-based assessment and the appropriate statutory process to ensure development occurs in a sustainable and appropriate manner, with due consideration to clause 6.2 of the *Upper Lachlan Local Environmental Plan 2010*.

**Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are no other likely environmental effects as a result of the Planning Proposal.

**Has the planning proposal adequately addressed any social and economic effects?**

The planning proposal is considered to have a positive effect on the local community and economy. The planning proposal will not result in a detrimental impact on the character of the area to which it relates, or the current levels of amenity enjoyed by nearby residents and more broadly residents of the Crookwell township.

Any future *storage premises* developments will be subject to merit-based assessment and the appropriate statutory process to ensure development occurs in a sustainable and appropriate manner, with due consideration to possible land use conflict impacts with any surrounding sensitive receptors.



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The additional land use will result in positive economic impacts for businesses in the locality by providing flexible and financially competitive storage solutions for small and large business, this consequently will relate to increased economic benefit more broadly across the local government area. The proposal will also be of economic benefit to the key local agricultural sector and growing green energy sector in the region, through providing opportunity for the same storage benefits of local businesses. Additionally, the proposal does not alter the existing and adequate spread of services across the Crookwell township.

## ***Section D – State and Commonwealth interests***

### ***Is there adequate public infrastructure for the planning proposal?***

There are no significant public infrastructure impacts associated with the Planning Proposal. Notwithstanding, Council has contribution plans in place pursuant to section 94 and 94A (now known as sections 7.11 & 7.12) of the *Environmental Planning and Assessment Act 1979*. Contribution plans pursuant to Section 64 of the *Local Government Act 1993* to facilitate the recoupment of cost associated with any public infrastructure works or upgrades which may be required (water & sewer).

The section 94 plan enables Council to require contributions towards the provision, extension or augmentation of public amenities and public services that will, or are likely to be, required as a consequence of development in the Upper Lachlan LGA. The plan assists Council in provision of appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.

Council's section 64 plans apply across Zone IN2 Light Industrial and enables Council to levy contributions in relation to development proposals where the anticipated development will or is likely to increase the demand for water and sewer infrastructure.

### ***What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

Relevant State Government agencies will be consulted in accordance with requirements of any future Gateway determination issued by the Department of Planning and Environment. The Department of Planning and Environment were also briefly consulted (verbally) prior to the preparation of the resolution for Council to proceed with this Planning Proposal.

There are no Commonwealth public authorities considered to be directly impacted by the Planning Proposal.

## 9. Part 6 – Project Timeline

**Table 1: Project Timeline**

<b>Task</b>	<b>Anticipated Timeframe</b>
Commencement date (date of Gateway determination)	March-April 2018
Completion of required technical information	Additional technical information considered to not be required due to the relatively minor nature of the planning proposal
Government agency consultation (pre and post exhibition as required by Gateway determination)	April 2018
Commencement and completion dates for public exhibition period	April-May 2018
Dates for public hearing (if required)	Considered to be N/A
Consideration of submissions	May 2018
Consideration of a proposal post exhibition	May 2018
Date of submission to the Department to finalise the LEP	May-June 2018
Anticipated date RPA will make the plan (if delegated)	June 2018
Anticipated date RPA will forward to the Department for notification.	June 2018